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Attorneys for Defendants  
UBER TECHNOLOGIES, INC.  
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WAYMO LLC,  
  
Plaintiff,  
  
v.  
  
UBER TECHNOLOGIES, INC.,  
OTTOMOTTO LLC; OTTO TRUCKING LLC,  
  
Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE  
YANG IN SUPPORT OF  
DEFENDANTS UBER  
TECHNOLOGIES, INC. AND  
OTTOMOTTO LLC'S  
ADMINISTRATIVE MOTION TO  
FILE UNDER SEAL THEIR  
RESPONSE TO WAYMO'S TRIAL  
BRIEF**

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this  
3 declaration based upon matters within my own personal knowledge and if called as a witness,  
4 I could and would competently testify to the matters set forth herein. I make this declaration in  
5 support of Defendants' Administrative Motion to File Under Seal Their Response to Waymo's  
6 Trial Brief.

7 2. Defendants request an order granting leave to file under seal Exhibit 5 to the  
8 Declaration of Esther Chang, based on Waymo LLC's prior representations regarding the  
9 confidentiality of similar information. Defendants do not believe the highlighted portions of the  
10 Response merit sealing.

Document	Portions to Be Filed Under Seal	Designating Party
Response to Waymo's Trial Brief ("Response")	Highlighted Portions	Plaintiff
Exhibit 5	Entirety	Plaintiff Defendants (Red Boxes)

16 3. The highlighted portions of the Response contain short, public descriptions of the  
17 subject matter of the alleged trade secrets and thus do not merit sealing. Defendants file this  
18 material under seal out of an abundance of caution in order to provide Waymo the opportunity to  
19 justify sealing of this material to the Court.

20 4. The red boxes of Exhibit 5 contain screenshots of highly confidential CAD design  
21 files of Uber's LiDAR. This information is not publicly known, and its confidentiality is strictly  
22 maintained. I understand that disclosure of this information could allow competitors to gain  
23 insight into the details of Uber's LiDAR design, allowing them to tailor their own technical  
24 development to the detriment of Uber.

25 5. The entirety of Exhibit 5 contains information that has been designated "Highly  
26 Confidential –Attorneys' Eyes Only" or "Confidential" by Waymo in accordance with the Patent  
27 Local Rule 2-2 Interim Model Protective Order ("Protective Order"), which the parties have  
28

1 agreed governs this case (Transcript of 3/16/2017 Hearing, page 6). Defendants file all this  
2 material under seal in accordance with Paragraph 14.4 of the Protective Order.

3 6. Defendants' request to seal is narrowly tailored to the portions of their Response to  
4 Waymo's Trial Brief and supporting exhibits that merit sealing.

5 I declare under penalty of perjury that the foregoing is true and correct. Executed this  
6 29th day of January, 2018 at San Francisco, California.

7  
8  
9 /s/ Michelle Yang

Michelle Yang

10  
11  
12  
13  
14 **ATTESTATION OF E-FILED SIGNATURE**

15 I, Arturo J. Gonzalez, am the ECF User whose ID and password are being used to file this  
16 Declaration. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Michelle Yang has  
17 concurred in this filing.

18 Dated: January 29, 2018

19 /s/ Arturo J. González

ARTURO J. GONZÁLEZ